

(i) Real Party In Interest

The real party in interest of the present patent application is Shell Oil Company, the assignee of record.

(ii) Related Appeals and Interferences

There are no related appeals or interferences relative to the presently appealed application.

(iii) Status of Claims

Claims 1, 4, 5, and 6 are currently pending in the presently appealed patent application. Claims 2 and 3 have been cancelled. Claim 1 currently stands rejected under 35 U.S.C. §102(b) and 35 U.S.C. §103(a), and provisionally rejected on the grounds of non-statutory obviousness-type double patenting. Claim 4 currently stands rejected under 35 U.S.C. §102(b) and 35 U.S.C. §103(a), and provisionally rejected on the grounds of non-statutory obviousness-type double patenting. Claim 5 currently stands rejected under 35 U.S.C. §102(b) and 35 U.S.C. §103(a), and provisionally rejected on the grounds of non-statutory obviousness-type double patenting. Claim 6 currently stands rejected under 35 U.S.C. §102(b) and 35 U.S.C. §103(a), and provisionally rejected on the grounds of non-statutory obviousness-type double patenting.

(iv) Status of Amendments

No amendment has been filed in the presently appealed patent application subsequent to the rejection that forms the basis of this appeal.

(v) Summary of the Claimed Subject Matter

Claims 1 and 4-6 are presently pending in the application and are involved in the appeal. One independent claim, claim 1, is involved in the appeal. Separate arguments are presented herein relative to dependent claims 4 and 5.

Claim 1 provides a nontoxic fuel cell engine coolant (supported in the original application text as filed at: p. 2, line 28; p. 4, lines 23-24; and original claim 1—the original application text is attached hereto as Exhibit 1). The coolant is comprised of an